

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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PETER TAYLOR,

Plaintiff,

v.

LT. R. HALLADAY and  
C.O. R. MILLER,

Defendants.

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Civil Action No.  
9:09-CV-0385  
(FJS/DEP)

APPEARANCES:

OF COUNSEL:

**FOR PLAINTIFF:**

Peter Taylor, Pro Se  
11967-052  
USP Cannon  
PO Box 300  
Waymart, PA 18472

**FOR DEFENDANTS:**

HON. RICHARD S. HARTUNIAN  
United States Attorney  
Northern District of New York  
PO Box 7198  
100 S. Clinton Street  
Syracuse, New York 132261-7198

CHARLES E. ROBERTS, ESQ.  
Assistant U.S. Attorney

**FREDERICK J. SCULLIN, JR., S.J.:**

**ORDER**

After carefully considering the entire file in this matter, including Magistrate Judge Peebles' July 1, 2010 Report and Recommendation to which the parties have not filed any objections; the Court hereby

**ORDERS** that Magistrate Judge Peebles' July 1, 2010 Report and Recommendation is **ADOPTED IN ITS ENTIRETY** for the reasons stated therein; and the Court further

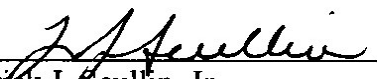
**ORDERS** that Defendants' motion for summary judgment is **GRANTED**, and the Court further

**ORDERS** that Plaintiff's complaint is **DISMISSED** in its entirety based upon his failure to exhaust available administrative remedies before commencing suit; and the Court further

**ORDERS** that the Clerk of the Court shall enter judgment in favor of Defendants and close this case.

**IT IS SO ORDERED.**

DATED: July 23, 2010  
Syracuse, New York

  
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Frederick J. Scullin, Jr.  
Senior United States District Court Judge